IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 32671 of 1997

Between:

M. Eswara Reddy S/o Dora Reddy
R/o Obulanka, Ravulapalem Mandal,
E.G. District.

..... PETITIONER

AND

The Superintendent Engineer, Roads and Buildings Department,
Eluru Circle, Eluru, West Godavari District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus declaring the condition in the tender notice Nos. 44, 45 & 46/97-98, insisting on a certificate about the financial soundness and stability of the petitioner to shift the hot mixing plant as illegal arbitrary and discriminatory and direct the respondent to issue tender schedule and consider the tender of the petitioner without insisting on the said condition.

Counsel for the Petitioner: MR.J.V.REDDY

Counsel for the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following :

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the condition in the tender notice insisting for a certificate about the

financial soundness and stability of the petitioner to shift the hot mixing plant as illegal and arbitrary.

This Court, while admitting the writ petition on 08.12.1997, granted interim direction directing the respondent to issue tender schedules to the petitioner for the items of the tender notices in question without insisting on the certificate about the financial soundness.

Today, when the matter is taken up for hearing, the learned counsel for the petitioner called absent. Learned Government Pleader for Roads and Buildings appearing for the respondent submits that in view of the interim direction granted by this Court, no further orders are need to be passed in this writ petition and the same has become infructuous.

Accordingly, the writ petition is dismissed as having become infructuous. No order as to costs.

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06.04.2005

dr/tvk

Copy to

1 The Superintendent Engineer, Roads and Buildings Department,
Eluru Circle, Eluru, West Godavari District.

2 2 CCs to Government Pleader for Roads and Buildings,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies.

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